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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group: 3732

Confirmation No.: 2174

Application No.: 10/058,508

Invention: COMPOSITE PROSTHETIC  
BEARING CONSTRUCTED OF  
POLYETHYLENE AND AN  
ETHYLENE-ACRYLATE  
COPOLYMER AND METHOD  
FOR MAKING THE SAME

Applicant: Richard King et al.

Filed: January 28, 2002

Attorney

Docket: 265280-68188

Examiner: Unknown

**Certificate Under 37 CFR 1.8(a)**

I hereby certify that this correspondence is being  
facsimile transmitted to the United States Patent and  
Trademark Office (TC3700 Division), fax number  
(703) 872-9302

on

(Signature)

Karla I. Mays  
(Printed Name)

**RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement detailed in the Office Action dated 9/23/2003, Applicants elect to have examination of claims 1-26, the claims of Group I. Claims 27-37, the claims of Group II, are hereby cancelled without prejudice.

In response to the election of species detailed in the same Office Action, Applicants elect to prosecute the claims of Species II (acetabular bearing, FIGS. 3-4) which includes claims 1-10, 13-23, and 26. The claims of Species I (i.e., claims 11 and 24) and Species III (i.e., claims 12 and 25) are withdrawn from consideration. Applicants will request consideration of such withdrawn claims when a generic claim is deemed allowable.

A claim list reflecting these changes to the claims is attached hereto.

Please charge any fees which may be due to constitute this a timely response to the 9/23/03 Office Action to Applicants' undersigned counsel's deposit account 10-0435 with reference to file number 265280-68188.

Respectfully submitted,

BARNES & THORNBURG



Shawn D. Bauer

Attorney Reg. No. 41,603

SDB/kim  
Indianapolis, IN  
(317) 231-7313

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**FAX COVER SHEET**

	<b>NAME</b>	<b>COMPANY NAME</b>	<b>TELECOPY NO.</b>
<b>TO:</b>	Commissioner for Patents	U.S. Patent and Trademark Office, TC3700 Division	(703) 872-9302

**FROM:** Shawn D. Bauer

**DIRECT DIAL:** (317) 231-7313

**E-MAIL:** sbauer@btlaw.com

**DATE:** October 1, 2003

**TIME SENDING:**

**NUMBER OF PAGES (INCLUDING THIS COVER SHEET):**

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Faxed: October 1, 2003  
Applicant: Richard King et al.  
Invention: COMPOSITE PROSTHETIC BEARING CONSTRUCTED OF  
POLYETHYLENE AND AN ETHYLENE-ACRYLATE  
COPOLYMER AND METHOD FOR MAKING THE SAME  
Serial No.: 10/058,508  
Filed: January 28, 2002  
Docket: 265280-68188

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- ☒ Response to Restriction Requirement and Election of Species (6 pages)  
☒ Amendment Transmittal Letter (Large Entity)

A return facsimile message with an image of this page from the U.S. Patent & Trademark Office acknowledges receipt of the indicated papers.

SDB/kim

Response once received: Please deliver immediately.

**CLIENT#** 265280

**MATTER#** 68188

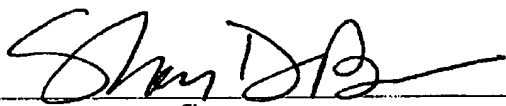
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<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. 265280-68188	
Applicant(s): Richard King et al.					
Serial No. 10/058,508	Filing Date January 28, 2002	Examiner Unknown	Group Art Unit 3732		
Invention: COMPOSITE PROSTHETIC BEARING CONSTRUCTED OF POLYETHYLENE AND AN ETHYLENE-ACRYLATE COPOLYMER AND METHOD FOR MAKING THE SAME					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	22 -	37 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<div style="margin-top: 10px;"><input checked="" type="checkbox"/> No additional fee is required for amendment.</div> <div style="margin-top: 5px;"><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</div> <div style="margin-top: 5px;"><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</div> <div style="margin-top: 5px;"><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 10-0435</div> <div style="margin-left: 20px;"><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</div> <div style="margin-left: 20px;"><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div>					
<div style="margin-top: 20px;"> _____ Signature</div>			Dated: 01 October 2003		
<b>Shawn D. Bauer</b> <b>BARNES &amp; THORNBURG</b> 11 S. Meridian Street Indianapolis, IN 46204 (317) 231-7313  Attorney Reg. No. 41,603					
CC:					

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